

REMARKS

Applicants respectfully request reconsideration of the present application in view of the reasons that follow.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1-27 remain pending in this application.

Claim Rejections under 35 U.S.C. § 102

Claims 1-8, 10-17 and 19-26 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,818,842 (“Burwell”). In response, Applicants respectfully traverse the rejection for the reasons that follow.

Applicants rely on M.P.E.P. § 2131, entitled “Anticipation – Application of 35 U.S.C. § 102(a), (b) and (e)” which states, “a claim is anticipated only if each and every element set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Applicants respectfully submit that Burwell does not describe each and every element of the claims.

Independent claims 1, 10 and 19 are directed to an ATM bridge device and a loop detecting method. For example, claim 1 is directed to an ATM bridge device, comprising, in combination with other elements, a packet scrapping judging unit that “if said transmitter address of said packet input from said ATM network and information about said transmission path through which said packet had been transmitted are matched with said transmitter address of said packet learnt by said second learning unit and information about said transmission path to which said packet is to be output,” is configured “to scrap said packet.”

Accordingly, the device and method claimed in claims 1, 10 and 19 can detect the formation of a loop in an ATM bridge transmission. The ATM bridge device can then remove unwanted ATM network traffic produced by a loop and identify a point in the network where a loop has been formed.

In contrast, Burwell fails to disclose, teach or suggest each and every element of independent claims 1, 10 and 19. Specifically, Burwell fails to disclose determining whether two separate packet transmissions match and if they do match, scrapping one of the two packet transmissions as claimed in claims 1, 10, and 19. Burwell is directed to an interface device that allows ATM switches to be connected to LAN interfaces so that user devices can communicate through the LAN with a wide area network. *See Abstract.* In making the rejection, the Office Action relies on column 8, lines 15-31 of Burwell. This reliance is misplaced.

The passage cited in the Office Action discusses a filtering and transformation step. *See Col. 8, lines 14 and 24.* During the filtering step the source and destination of one packet of information is verified and the packet is dropped if the source and destination device are not allowed to communicate. *See Col. 8, lines 15-23.* The transformation step discusses removing and adding encapsulation to the packet. *See Col. 8, lines 25-31.* While Burwell mentions that a packet is dropped, the conditions under which the packet is dropped in claims 1, 10 and 19 is completely different. First, as claimed in claims 1, 10 and 19, the transmitter address and transmission path information for a packet received by two separate units is compared. Burwell does not disclose the comparison of packet information. Second, if the information for both packets matches, the subject matter of claims 1, 10 and 19 scrap the packet. In contrast, Burwell drops a packet if it determines that two devices are not allowed to communicate. Accordingly, Burwell fails to disclose all the claimed limitations.

M.P.E.P. § 2131 states that “[t]he identical invention must be shown in as complete detail as is contained in the claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989). Here, Burwell fails to specifically disclose a packet scrapping judging unit that “if said transmitter address of said packet input from said ATM network and information about said transmission path through which said packet had been transmitted are matched with said transmitter address of said packet learnt by said second learning unit and information about said transmission path to which said packet is to be output,” is configured “to scrap said packet.” in the requisite detail. Accordingly, Applicants request that the rejection be withdrawn and independent claims 1, 10 and 19 be allowed. Further, claims 2-9, 11-18 and 20-27 depend from one of independent claims 1, 10 or 19 and should be allowed

for the reasons set forth above without regard to further patentable limitations contained therein.

If this rejection of the claims is maintained, the examiner is respectfully requested to point out where the above-mentioned features are disclosed in Burwell.

Claim Rejections under 35 U.S.C. § 103

Claims 9, 18 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Burwell in view of U.S. Patent No. 6,256,314 (“Rodrig”).

As stated above, Burwell fails to disclose, teach or suggest each and every limitation of independent claims 1, 10 and 19. Claims 9, 18 and 27 depend from one of independent claims 1, 10 or 19 and should be allowed for the reasons set forth above without regard to further patentable limitations contained therein. Further, Rodrig fails to cure the deficiencies of Burwell. Thus, Applicants request that claims 9, 18 and 27 be allowed.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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